EXPLANATION OF

35

فروع الفقه

Ibn al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allāh (سبحانه وتعالى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه وتعالى) keep him sincere, and continue to shower his life and Da'wah with His blessings, and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allāh make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allāh facilitate the completion of this Sharh and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

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بسم الله الرحمن الرحيم

الحمد لله رب العالمين، والصلاة والسلام على أشرف الأنبياء والمرسلين، سيدنا ونبينا محمد،

وعلى آله وصحبه أجمعين، اما بعد:

Recap

We completed the nullifiers of Wudū' that the author listed, and we added additional ones to encompass the various other Madhāhib, and we went through the details on whether the proof supports each one of them being a nullifier or not.

This Halaqah starts with the topic of Ghusl. After the author completed the minor causes of purification, he now starts with the causes of Ghusl. What necessitates Ghusl? What causes the major impurity that requires one to perform a full Ghusl? The author mentions six matters. We went over them at the very end of the last class.

Causes for Ghusl – موجبات الغسل

He says,

وَفِي الطَّهَارَةِ الْكُبْرَىٰ سِتَّةٌ

The word for word translation for that is, "And for major impurity there's six." Meaning there are six causes for Ghusl. The more popular term among Fuqahā' to refer to our topic today is Mūjibāt Al-Ghusl, which translates as 'The Causes of Ghusl' and it's more common and popular than Nawāqid Al-Ghusl, which translates as 'The Major Impurity Nullifiers'. And Ghusl from a Fiqhi perspective is تعميم البدن بالماء بنية معتبرة or تعميم البدن بالماء على صفة مخصوصة بقصد التعبد لله تعالى. The Shar'ī meaning of Ghusl is to pour water over one's entire body in a certain specific way with the intention that it's an 'Ibādah, to lift the state of major ritual impurity.

Cause #1 – المني الدافق بلذة

The first one that the author mentions, the first cause of Ghusl is

الْمَنِيُّ الدَّافِقُ بِلَذَّةٍ

Ejaculating or the ejaculation of sperm when it's discharged with strength, combined with lust and desire. الْمَنِيُّ الدَّافِقُ بِلَذَّةٍ. The word for word translation is المنِيُّ, which means semen or sperm, الدَّافِقُ means gushing forth, coming out with strength — and the term Dāfiq is mentioned in the Qur'ān, but not specifically in the context as it pertains to Tahārah. It's mentioned in the context of Allāh سبحانه وتعالى showing His gratitude in the creation of mankind.

خُلِقَ مِن مَّآءٍ دَافِقٍ

One is created from water gushing forth. So the first stipulation the author mentions for Manīyy to cause Ghusl is gushing. Then he says بِلَذَّةٍ, with lust and desire. لَذَّةٍ means lust and desire. The author is saying the first matter that causes major impurity and necessitates Ghusl is the ejaculation of sperm when it gushes forth and comes out with strength, lust, and desire. Now there's scenarios for the ejaculation of Manīyy while one is awake and while one is sleeping, and we'll take them Inshā'Allāh.

I. The first scenario or the first Mas'alah is if Manīyy gushes with desire and lust. It's discharged in strength with lust in any way. It could be from sexual relationship with spouses or due to touching, looking, or thinking. The ruling is one must do Ghusl by Ijmā', there's no dispute on that, and the proof is

وَإِن كُنتُمْ جُنُبًا فَٱطَّهَّرُوا۟

If you're in the state of Janābah, purify yourselves. Janābah means major impurity caused by the release of Manīyy, and it's defined as when it gushes with desire. They used the Hadīth of 'Ali رضي الله عنه that the Messenger ﷺ said,

إِذَا فَضَخْتَ الْمَاءَ فَاغْتَسِلْ

The Hadīth says, "If you ejaculate semen, then perform Ghusl." The term of the Hadīth is not just 'ejaculate' or 'discharge', but rather the term used for ejaculation is فَضَخْتَ which means gushes, spurts, or discharged with strength. And this Hadīth will come up several times today Inshā'Allāh, and it's part of a longer Hadīth. The addition is,

إِذَا فَضَخْتَ الْمَاءَ فَاغْتَسِلْ

And that addition is in Sunan Abu Dāwūd and in Musnad Ahmad. Some Ulamā' authenticated that addition, other Ulamā' questioned that. So it's part of a longer Hadīth. The Hadīth, the origin of the Hadīth, is in Bukhāri and Muslim, and it's related by seven Ruwā, seven narrators, taking it from 'Ali رضي الله عنه. Some of those narrations are in Bukhāri and in Muslim combined, متفق عليه. Some are in one or the other. The ones in Bukhāri and Muslim are without the addition of إِذَا فَضَخْتَ الْمَاءَ فَاغْتَسِلْ. None of the narrations in Bukhāri Muslim have the addition إِذَا فَضَخْتَ الْمَاءَ فَاغْتَسِلْ. It appears that the incident took place only once. Based on that and other matters, some classified that addition as being Shādh (irregular, weak Hadīth.) And I think we went over the Shādh one time briefly, it's ما رواه الارجح مخالفا لثقة دونه. It's usually when a Hadīth is narrated by a trustworthy narrator. He's trustworthy, but that trustworthy [narrator's] narrations differ from other narrations who are more trustworthy or better.

We mentioned a verse as proof, we mentioned Hadīth 'Ali رضي الله عنه, as proof, and there's also an Ijmā'. Ibn Qudāmah رحمه الله تعالى said it's the opinion of the overwhelming of Ulamā', and At-Tirmidhi said there's no dispute on this matter.

No dispute on what? On this first scenario of the discharge of Manīyy while one is awake, if it gushes with desire and lust, then one must do Ghusl by Ijmā'.

II. A second scenario or the second Mas'alah, is the discharge of Manīyy without spurting, lust, or desire. If Manīyy is ejaculated without strength, without lust and desire, it's ejaculated abnormally, and this happens at times due to illnesses. Some have semen leakage without desire, without arousal, without any sexual stimulation. Sometimes it could be due to an extreme stress, cold temperatures, or carrying heavy objects. And contrary to what some think, it does happen. A very young brother in prison, may Allāh سبحانه وتعالى hasten his release, he was going through extreme stress at a certain time when he was going to court and back and forth and first arrested, and he asked about this. He has constant semen leakage, multiple times a day, just by standing up, without any desire, sexual stimulation, or any lustful thinking. The previous Mas'alah we took had an Ijmā' on it. This one has a dispute, is disputed into two opinions.

- The majority of the Ulamā, the Hanafīyyah, Mālikīyyah, and Hanābilah say the semen discharge without gushing and lust does not necessitate a Ghusl, it only necessitates Ghusl when it's emitted the normal regular way. Meaning it would be similar and take the ruling of urine or more accurately Madhiy. Madhiy doesn't necessitate Ghusl but one must wash their private parts and perform Wudū'. And their proof is the verse that we mentioned,

فَلْيَنظُرِ ٱلْإِنسَـٰنُ مِمَّ خُلِقَ

خُلِقَ مِن مَّآءٍ دَافِقٍ

They were created from water gushing forth. They said the fluid that one must perform Ghusl from when it's discharged is the type that is a means from Allāh to create newborns. And the verse describes it, خُلِقَ مِن مَّآءٍ دَافِقٍ. It comes out with strength, gushing. دَافِقٍ, gushing. They said semen gushing and coming out with strength is a characteristic of the semen that causes the major impurity, and that Ghusl is required when it comes out with strength. The second proof they used is Hadīth 'Ali,

إِذَا فَضَخْتَ الْمَاءَ فَاغْتَسِلْ، فَضَخْتَ

We said what it means.

- The second opinion is the opinion of the Shāfi'iyyah. They require Ghusl no matter how the sperm, the Manīyy, is emitted. Doesn't matter. In fact, An-Nawawi said it doesn't matter if it's emitted through intercourse, wet dreams, or through masturbation or seeing something that causes the ejaculation. He said it doesn't matter if it's discharged with desire or not, whether it's a large amount or a small amount even a drop. He said it doesn't matter whether it's discharged while one is sleeping or whether one is awake. So long as the sperm is discharged, Ghusl is required. And they mentioned the Hadīth in Sahīh Muslim,

إِنَّمَا الْمَاءُ مِنَ الْمَاءِ

The literal translation of that Hadīth is "Water is from water." The meaning of the first water is the regular water that we know. The second water refers to the sperm or Manīyy. So the Hadīth really means water is necessary, meaning Ghusl is necessary, when there's an emission of water, meaning Manīyy or sperm. إِنَّمَا الْمَاءُ مِنَ الْمَاءِ ends up meaning Ghusl is necessary when there is an emission of sperm.

And this Hadīth, just so you know, was pertaining to the ruling on the intercourse in the early part of Islām. When one had intercourse in the early days of Islām, Ghusl was only required if he releases sperm, the Manīyy. The penetration in itself did not require Ghusl so long as that person did not ejaculate. That was abrogated as it pertains to intercourse. If one has intercourse without emitting Manīyy, sperm, with his wife, one must still do Ghusl. That's what the Hadīth was referring to. But the Hadīth is still used as it pertains to wet dreams by some Ulamā' and like how Ash-Shāfi'īyyah still use it here.

The second proof is Qiyās, analogy. The ruling, as we said, on intercourse is that if there's penetration, Ghusl is required. If the Hashafah, the glans of a man, merely enters the private parts of a woman, Ghusl is Wājib on that individual. Lust and desire have no effect in that situation. Ghusl is required if the glans enters, period. Up to here, we all agree on that. But then the Shāfi'īyyah used analogy, used Qiyās, and said the same applies to

the emission of sperm. Pay attention to their Qiyās, to their analogy. They said just as it doesn't matter in intercourse whether it's with lust and desire or not — so long as the glans penetrates, Ghusl becomes Wājib — the same applies to the discharge of semen. So long as there is an emission of sperm, Ghusl is required with desire or without desire.

Their third proof is also Qiyās, a very similar analogy, but Qiyās on one sleeping. The ruling on one sleeping who has a wet dream and discharges Manīyy is that he must perform Ghusl if he or she sees the Manīyy and they're sure about it when they wake up. Whether there's lust and desire or not, they must do Ghusl if they are sure that there was a discharge of Manīyy when they were sleeping. Even if one doesn't remember any of the dream, but they're sure there was a discharge of Manīyy one must perform Ghusl. So long as Manīyy is discharged in the dream, Ghusl is Wājib. Up to here, everyone agrees. Now Ash-Shāfi'īyyah used analogy to that, they use Qiyās on that. They said the same exact rationale should apply when one is awake. So long as Manīyy is discharged while one is awake, Ghusl is required with no stipulations. Lust and desire, for example, are not stipulations for one sleeping nor should they be for one who is awake.

Ar-Rājih

The Rājih, والله أعلم, is that the Ghusl is required when Manīyy is emitted in the normal way that's known — when it comes out with strength, gushing with

desire and lust. If it's emitted abnormally, different than that, it ends up closely resembling Madhiy, which only requires washing the private parts and Wudū. And Ibn Taymiyyah رحمه الله تعالى stated in meaning that we're required to perform Ghusl from Janābah, that's when we have to do Ghusl, and Janābah is only considered Janābah when it's discharged with desire.

III. The third scenario is what if someone ejaculated with desire through the relationship with his wife then made Ghusl, took a shower, and then saw more discharge after that?

- The first opinion is the opinion of Mālikīyyah, most of the Hanābilah and Sufyān Ath-Thawri adopted it, Ishāq Ibn Rāhaway adopted it, Abu Yūsuf from the Hanafīyyah adopted it, and Ibn Taymiyyah chose it. They said Ghusl is not required a second time, and they used the Hadīth that we mentioned, Hadīth 'Ali رضي الله عنه

إِذَا فَضَخْتَ الْمَاءَ فَاغْتَسِلْ

Meaning the second time it didn't come out gushing, so there's no Ghusl. The second proof is they said the release of sperm is considered one matter, one subject. It requires one Ghusl, even if it's emitted in portions. They said the second discharge was from the original discharge, and all that's required from the second or remaining discharges that are without lust and desire, are washing the private parts and Wudū'. They said it's no different than if it was all emitted at once.

Their next proof, third proof, is what we took in the previous Mas'alah. They said what was released after one took a shower, for example, it was released without desire and lust. It wasn't gushing forth with strength, which are stipulations for requiring Ghusl when sperm is discharged. They said the second discharge is basically like the one who discharges due to an illness or cold weather, as we took in the previous Mas'alah. That's the first opinion.

- The second opinion, and of course it's going to be the opinion of the Shāfi'īyyah, because you know their opinion on this matter, and some of the Hanābilah adopted it as well, they said that Ghusl is required. Their proof is the Hadīth, إِنَّمَا الْمَاءُ مِنَ الْمَاءِ. Water is necessary when there's an emission of water, which is the Manīyy, the sperm. We explained what that Hadīth means. They say that person saw the Manīyy, that means he's required to do Ghusl. إِنَّمَا الْمَاءُ مِنَ الْمَاءِ. We explained how the opinion of Shāfi'īyyah is that they require Ghusl when semen is discharged without desire even, and even if it doesn't gush forth, and of course they would apply the same in this Mas'alah here. They also use Hadīth Umm Salamah. Umm Salamah asked the Messenger ﷺ, "Is it obligatory on a woman to take a bath after she has a discharge from a wet dream?"

فَهَلْ عَلَى الْمَرْأَةِ الْغُسْلُ إِذَا احْتَلَمَتْ

And the Messenger ﷺ said,

قَالَ نَعَمْ، إِذَا رَأَتِ الْمَاءَ

The Messenger ﷺ said, "Yes, if she sees the water." So they said if a person sees a discharge of Manīyy after the shower, it means there's a Ghusl.

The third proof is Qiyās, analogy, and they did Qiyās on the discharge of urine. If one urinates, then makes Wudū, then releases more urine, even if it's just a few drops, he must wash the area and renew the Wudū' by Ijmā' — there's no dispute on that, unless there's an illness as we spoke about many Halaqāt ago. They said the same applies to the discharge of semen.

- The third opinion is the opinion of Imām Abu Hanīfah and the Hanābilah in a third opinion. They said if Manīyy that's emitted comes before urinating, no Ghusl is required. If that Manīyy is emitted after urinating, Ghusl is required. Their rationale for that is that if it was discharged prior to urinating, it's left over from the previous discharge. If it's after urinating it's a new discharge that requires Ghusl, meaning the urine passed through the pathway so what comes afterwards is a new discharge of Manīyy that requires Ghusl. What's amazing is Abu Hanīfah رحمه الله تعالى has an opinion with the exact opposite rationale as well. In that opinion he says if one urinated and then discharges, no Ghusl is required, because it's without desire. But if he discharged Manīyy prior to urinating, then he must do Ghusl.

Ar-Rājih

The Rājih is the first opinion. Their rationales are stronger because it goes along with what we broke down in the previous Mas'alah, in that it was emitted without desire and without gushing. There is no Ghusl required and it's part of the first Janābah. The first opinion, not requiring Ghusl, also gains more strength because it's attributed to Ibn 'Abbās and 'Ali رضي الله عنهما. Sa'īd Ibn Mansūr related that Ibn 'Abbās was asked about a Junub person who performs Ghusl, then more semen is released after the Ghusl. He said Ibn 'Abbās said just make Wudū'. And Imām Ahmad related something similar about 'Ali رضي الله عنه. If it's released a second time in desire, then of course Ghusl would be Wājib. The proofs for the last two Masā'il overlap because they're very very similar. They're mentioned separately because many Ulamā' mentioned them separately. And there are also some different proofs and rationales. And the scenarios, if you paid close attention, are a bit different. One is a person who discharged semen with absolutely no desire, like an illness. From the initial start it was without desire. The second one is someone who discharges in desire, performs Ghusl, then after the Ghusl more is discharged after that. Now that's about someone who's awake, the discharge of Manīyy while one is awake.

Now we're going to start on when one is sleeping. The first scenario is if a male or female have a wet dream but see no discharge, they're sure there's no discharge. The ruling is that Ghusl is not required by Ijmā'. Actually, let me stop here. I think it's a

better idea to let this sink in and start a fresh class with the Masā'il pertaining to the discharge of Manīyy or the scenarios while one is sleeping.

Let's take a recap on what we took today. We finished the nullifiers of Wudū' and we're on the Mūjibāt Al-Ghusl. The author said there were six. The first one is المني الدافق بلذة, sperm that discharges strongly in desire, that gushes in desire. We said we're going to break this down into Masā'il or scenarios while one is awake and while one is sleeping, and there are scenarios under each of that. The scenarios of the discharge of Manīyy while one is awake is, the first one that we took is that if Manīyy gushes with desire and lust, in anyway, one must do Ghusl by Ijmā', no dispute on that. Number two, Manīyy discharged while one is awake without coming out with strength and lust and desire. That doesn't necessitate Ghusl. The third one, if someone ejaculated with desire, then made Ghusl, then some more discharge after the Ghusl that didn't gush out with desire, and we said that that does not necessitate Ghusl, only washing the private parts and doing Wudū'. And also in the second scenario, he's not going to do Ghusl, that doesn't mean that he doesn't wash the private parts and make Wudū'. Yes, he must make Wudū', wash the private parts and make Wudū'.

And with this we'll stop here Inshā'Allāh. JazākumAllāhu Khayrā.

وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم